

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
EASTERN DISTRICT OF TEXAS
NOV 27 2012
BY DAVID J. MCELROY, CLERK
DEPUTY

UNITED STATES OF AMERICA §
 §
v. § NO. 4:12CR16
 § Judge Schell
BRIAN KEITH MCMENAMY (9) §

STATEMENT OF FACTS IN SUPPORT OF PLEA AGREEMENT

The defendant, **Brian Keith McMenamy**, hereby stipulates and agrees that at all times relevant to the Second Superseding Indictment herein, the following facts were true:

1. That the defendant **Brian Keith McMenamy**, who is changing his plea to guilty, is the same person charged in the Second Superseding Indictment.
2. That the events described in the Second Superseding Indictment occurred in the Eastern District of Texas and elsewhere.
3. That **Brian Keith McMenamy** and one or more persons in some way or manner made an agreement to commit the crime charged in the Second Superseding Indictment, to knowingly and intentionally possess with the intent to distribute and dispense at least 1.5 kilograms but less than 5 kilograms of a mixture or substance containing a detectable amount of methamphetamine or at least 150 grams but less than 500 grams of methamphetamine (actual).

4. That **Brian Keith McMenamy** knew the unlawful purpose of the agreement and joined in it with the intent to further it.

5. That **Brian Keith McMenamy** knew that the amount involved during the term of the conspiracy involved at least 1.5 kilograms but less than 5 kilograms of a mixture or substance containing a detectable amount of methamphetamine or at least 150 grams but less than 500 grams of methamphetamine (actual).

6. **Brian Keith McMenamy's** role in this conspiracy was to supply co-conspirators with kilogram quantities of methamphetamine from various sources which would then be distributed to other co-conspirators and co-defendants during the term of the conspiracy.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

7. I have read this Statement of Facts and the Second Superseding Indictment and have discussed them with my attorney. I fully understand the contents of this Statement of Facts and agree without reservation that it accurately describes the events and my acts.

Dated: 10-31-12


BRIAN KEITH MCMENAMY
Defendant

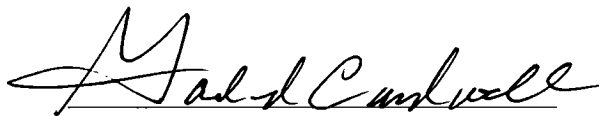
COUNSEL FOR DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

8. I have read this Statement of Facts and the Second Superseding Indictment and have reviewed them with my client. Based upon my discussions with the defendant, I

am satisfied that the defendant understands the Statement of Facts and the Second

Superseding Indictment.

Dated: 10/31/12


GARLAND CARDWELL
Attorney for the Defendant